

**REMARKS**

At the outset, the Examiner is thanked for the thorough review and consideration of the subject application. The Non-Final Office Action of January 30, 2003 has been received and contents carefully reviewed. Accordingly, claims 1-14, 16-30, and 32-37 are pending. Applicant respectfully requests reexamination and reconsideration.

The Examiner objected to claims 1-37 because of informalities. In response, the term non-exposing is used in the specification, for example, at page 9, "...an overcoat layer 102 is formed with a non-exposing type polymer material for surface planarization between the color filters 25" and at page 12, "Using a non-exposing type material simplifies the overcoat layer forming process by eliminating such steps as mask mounting, exposing, developing, cleaning and drying." Applicant respectfully submits that the meaning of "non-exposing" can be ascertained from the specification.

The Examiner rejected claims 1-37 under 35 USC 103(a) as being unpatentable over Ohta et al. (US Patent No. 6,208,399), or alternatively, the associated PCT WO 98/47044. Applicant respectfully traverses this rejection.

Claim 1 is allowable at least for the reason that claim 1 recites a combination of features including forming an overcoat layer over the second substrate, and curing the overcoat layer, the overcoat layer including a non-exposing material.

Claim 26 is allowable at least for the reason that claim 1 recites a combination of features including forming an overcoat layer over the second substrate including the light-shielding layer and the color filter layer, and curing the overcoat layer, the overcoat layer including a non-exposing material.

None of the cited references, singly or in combination, teaches or suggests at least these features of the claims.

Ohta et al. may teach forming an overcoat layer OC over a substrate SUB 1, however, the reference does not teach curing the overcoat layer, the overcoat layer including a non-exposing material as recited by claim 1. Similarly, Ohta et al. may also teach a light shielding BM and a color filter layer FIL, however, the reference does not teach curing the overcoat layer, the overcoat layer including a non-exposing material.

Applicant submits that the Examiner has failed to establish a *prima facie* case of obviousness and respectfully requests that the rejection be withdrawn.

Moreover, claims 2-14, 16-30, and 32-37 are allowable by virtue of their dependence on claims 1 and 26, which are believed to be allowable.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.


If the Examiner deems that a telephone conference would help expedite the prosecution of this application, the Examiner is requested to call the undersigned attorney at (202) 496-7371. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the

filing of this response, may be charged to Deposit Account No. 50 -0911. Please credit any overpayment to deposit Account No. 50-0911.

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Respectfully submitted,

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